

UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

IN RE
Richard W. Lewis Jr.

Debtor.

Chapter: 13

Case No. 18-24685-svk

**OBJECTION OF MTGLQ INVESTORS, LP TO CONFIRMATION OF THE AMENDED
CHAPTER 13 PLAN**

MTGLQ Investors, LP, a secured creditor, by its attorneys, Gray & Associates, L.L.P., objects to the confirmation of the proposed amended plan on the following grounds:

1. The creditor holds a secured interest in the real estate located at 2316 W Lawn Ave, Milwaukee, WI 53209-5048.
2. The amended plan does not comply with the provisions of Chapter 13 in that:
 - (a) The creditor has not accepted the amended plan;
 - (b) The plan improperly proposes a “cramdown” of the creditor’s mortgage in that it suggests that the debtor will hold title to the subject real estate free and clear of the creditor’s lien upon payment of the secured portion of the claim. As the creditor’s mortgage is secured by the value of the debtors' real estate, the claim must be paid in full before the mortgage can be deemed satisfied.

Drafted by:

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3. The foregoing prevents confirmation of the debtor's amended plan pursuant to 11 U.S.C. section 1325.

WHEREFORE, an objection is made to the confirmation of the amended plan, that a hearing upon this objection be scheduled and that the clerk issue notice of said hearing to the appropriate parties and that the secured creditor be awarded such and further relief as the court may deem to be just and equitable.

Dated this 3rd day of September, 2018.

Gray & Associates, L.L.P.
Attorneys for Creditor

By: 

Jay Pitner

State Bar No. 1010692

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2018, the objection to confirmation of plan was electronically filed in this case and served upon the following parties using the ECF system:

Scott Lieske Trustee

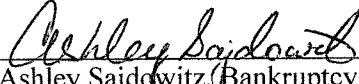
Eastern District U.S. Trustee

Angela M. Soltis

I further certify that on the same date, I mailed the same document(s) by the United States Postal Service to the following non-ECF participants:

Richard W. Lewis Jr.
N49W16172 Graysland Dr
Menomonee Falls, WI 53051-7539

Dated this 5th day of September, 2018.



Ashley Sajdowicz, Bankruptcy Trainer
Gray & Associates, L.L.P.

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